

Notice of Allowability	Application No.	Applicant(s)	
	10/655,172	CARREROT, HERVE	
	Examiner	Art Unit	
	Lenard A. Footland	3682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 1-16.
3. ☒ The drawings filed on 04 September 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>12-04-03</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the Issue Fee.

The following change(s) in the claim(s) (was/were) made to correct (an) obvious informalit(y/ies):

- (1) In claim 3, line 2, delete "and" and insert in its place -- or --;
- (2) In claim 4, lines 3-4, delete "grade ... Duval." and insert in its place – French grade G.K.H.Y.W. --;
- (3) In claim 5, lines 1-2, delete "any one of claims 1 to 4" and insert in its place – claims 1 or 2 --;
- (4) In claim 6, lines 1-2, delete "any one of claims 1 to 5" and insert in its place – claims 1 or 2 --;
- (5) In claim 7, lines 1-2, delete "any one of claims 1 to 6" and insert in its place – claims 1 or 2 --;
- (6) In claim 8, lines 1-2, delete "any one of claims 1 to 7" and insert in its place – claims 1 or 2 --;
- (7) In claim 9, lines 1-2, delete "any one of claims 1 to 8" and insert in its place – claims 1 or 2 --;
- (8) In claim 10, lines 1-2, delete "any one of claims 1 to 9" and insert in its place – claims 1 or 2 --;
- (9) In claim 12, lines 1-2, delete "any one of claims 1 to 11" and insert in its place – claims 1 or 2 --;

(10) In claim 13, lines 1-2, delete "any one of claims 1 to 12" and insert in its place -- claims 1 or 2 --;

(11) In claim 14, lines 1-2, delete "any one of claims 1 to 13" and insert in its place -- claims 1 or 2 --;

(12) In claim 15, lines 1-2, delete "any one of claims 1 to 14" and insert in its place -- claims 1 or 2 --;

(13) In claim 16, lines 1-2, delete "any one of claims 1 to 15" and insert in its place -- claims 1 or 2 -- .

The following change(s) in the specification (was/were) made to correct (an) obvious informalit(y/ies):

At page 6, after line 21, insert -- Brief Description of the Drawings -- .

Otherwise proper amendments to dependent claims may usually be made by Rule 312 amendment.

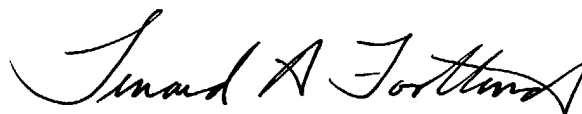
The following is an Examiner's Statement of Reasons for Allowance: The prior art does not show as obvious the combination of claimed structure and functions of claim 1, to reduce fatigue.

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee.

Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2168.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lenard A. Footland, whose telephone number is (703) 308-2683.

A handwritten signature in black ink, reading "Lenard A. Footland". The signature is written in a cursive style with a large initial 'L' and a stylized 'A'.

Lenard A. Footland
Primary Examiner
Technology Center 3600
Art Unit 3682

laf
May 20, 2004